

FILED CLERK, U.S. DISTRICT COURT	
6/28/2023	
CENTRAL DISTRICT OF CALIFORNIA	
BY: <u> </u> DTA <u> </u> DEPUTY	

UNITED STATES DISTRICT COURT

FOR THE CENTRAL DISTRICT OF CALIFORNIA

SOUTHERN DIVISION

March 2023 Grand Jury

UNITED STATES OF AMERICA,

Plaintiff,

v.

RANDALL BERKELY JOHNSON,

Defendant.

No. 8:23-cr-00089-DMG

I N D I C T M E N T

[18 U.S.C. §§ 2252A(a)(5)(B),
(b)(2): Possession of Child
Pornography; 18 U.S.C. § 2253:
Criminal Forfeiture]

The Grand Jury charges:

COUNT ONE

[18 U.S.C. §§ 2252A(a)(5)(B), (b)(2)]

On or about November 23, 2022, in Orange County, within the Central District of California, defendant RANDALL BERKELY JOHNSON knowingly possessed a Samsung 500 GB hard drive, with serial number S49WNVOM326429X, that contained at least three videos of child pornography, as defined in Title 18, United States Code, Section 2256(8)(A), which videos involved prepubescent minors and minors who had not attained 12 years of age, that had been transported using any

1 means and facility of interstate and foreign commerce and in and
2 affecting interstate and foreign commerce by any means, including by
3 computer, knowing that the videos were child pornography.

4 The child pornography that defendant JOHNSON knowingly possessed
5 consisted of the following:

- 6 1. A video titled "IMG_4975.MOV";
- 7 2. A video titled "IMG_5118.MOV"; and
- 8 3. A video titled "out1 (4).mp4."

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1 COUNT TWO

2 [18 U.S.C. §§ 2252A(a)(5)(B), (b)(2)]

3 On or about November 23, 2022, in Orange County, within the
4 Central District of California, defendant RANDALL BERKELY JOHNSON
5 knowingly possessed a Samsung 250 GB hard drive, with serial number
6 S3UKNK0J703261X, that contained at least three videos of child
7 pornography, as defined in Title 18, United States Code, Section
8 2256(8)(A), which videos involved prepubescent minors and minors who
9 had not attained 12 years of age, that had been transported using any
10 means and facility of interstate and foreign commerce and in and
11 affecting interstate and foreign commerce by any means, including by
12 computer, knowing that the videos were child pornography.

13 The child pornography that defendant JOHNSON knowingly possessed
14 consisted of the following:

15 1. A video titled "Video007.__clip_no.015.wmv";
16 2. A video titled "BW1653_brother_sister_part2.avi"; and
17 3. A video titled "my_big_sister.avi."

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1 FORFEITURE ALLEGATION

2 [18 U.S.C. § 2253]

3 1. Pursuant to Rule 32.2 of the Federal Rules of Criminal
4 Procedure, notice is hereby given that the United States of America
5 will seek forfeiture as part of any sentence, pursuant to Title 18,
6 United States Code, Section 2253, in the event of the defendant's
7 conviction of the offenses set forth in any of Counts One and Two of
8 this Indictment.

9 2. The defendant, if so convicted, shall forfeit to the United
10 States of America the following property:

11 (a) All right, title, and interest in any visual depiction
12 involved in any such offense, or any book, magazine, periodical, film
13 videotape, or other matter which contains any such visual depiction,
14 which was produced, transported, mailed, shipped or received and
15 involved in any such offense;

16 (b) All right, title, and interest in any property, real
17 or personal, constituting or traceable to gross profits or other
18 proceeds obtained from such offense;

19 (c) All right, title, and interest in any property, real
20 or personal, used or intended to be used to commit or to promote the
21 commission of such offense or any property traceable to such
22 property; and

23 (d) To the extent such property is not available for
24 forfeiture, a sum of money equal to the total value of the property
25 described in subparagraphs (a), (b), and (c).

26 3. Pursuant to Title 21, United States Code, Section 853(p),
27 as incorporated by Title 18, United States Code, Section 2253(b), the
28 defendant, if so convicted, shall forfeit substitute property, up to

1 the total value of the property described in the preceding paragraph
2 if, as the result of any act or omission of the defendant, the
3 property described in the preceding paragraph, or any portion
4 thereof: (a) cannot be located upon the exercise of due diligence;
5 (b) has been transferred, sold to or deposited with a third party;
6 (c) has been placed beyond the jurisdiction of the court; (d) has
7 been substantially diminished in value; or (e) has been commingled
8 with other property that cannot be divided without difficulty.

9

10 A TRUE BILL

11

12 /s/
13 Foreperson

14 E. MARTIN ESTRADA
15 United States Attorney



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17 MACK E. JENKINS
18 Assistant United States Attorney
Chief, Criminal Division

19 BENJAMIN R. BARRON
20 Assistant United States Attorney
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21 BRADLEY E. MARRETT
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